

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

Abel Carpio-Umana

Case No.

2:23-mj-448

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 08/01/2023 in the county of Franklin in the
Southern District of Ohio, the defendant(s) violated:

Code Section

8 USC 1326(b)(1)

Illegal Re-Entry

Offense Description

This criminal complaint is based on these facts:

see attached affidavit

☒ Continued on the attached sheet.

Andrew H. Wend

Complainant's signature

Andrew H. Wend, DO

Printed name and title

Sworn to before me and signed in my presence.

VIA FREETIME

Date: 08/01/2023

City and state: Columbus, OH



Elizabeth A Preston Deavers US Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN THE MATTER OF THE
CRIMINAL COMPLAINT OF:

Abel CARPIO-Umana

CASE NO. 2:23-mj-448

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, United States Immigration and Customs Enforcement (ICE) Deportation Officer, Andrew H. Wend, being first duly sworn, depose and state as follows:

1. I am a Deportation Officer with the United States Department of Homeland Security, Immigration and Customs Enforcement (ICE). I have been employed with ICE since 2015. Prior to that, I was employed as a Border Patrol Agent with the United States Border Patrol, successfully completing the Border Patrol Academy course at the Federal Law Enforcement Training Center (FLETC) at Artesia, New Mexico in 2009. I am currently assigned to the Westerville, Ohio office of the Detroit Field Office. I have a combined fourteen years of training and experience in the enforcement of immigration and naturalization laws of the United States. As a part of my duties, I identify, locate, apprehend, and remove aliens who are in violation of the Immigration and Nationality Act. I have investigated both criminal and administrative matters involving Titles 8 and 18 of the United States Code, including illegal reentry into the United States, false claim to United States citizenship, and the fraudulent production, possession, and use of identity documents.
2. During the course of investigating Abel CARPIO-Umana, I have learned the following facts:
3. Abel CARPIO-Umana is a citizen of El Salvador. CARPIO-Umana is not a citizen of the United States and does not have legal status in the United States.
4. On or about March 11, 2009, CARPIO-Umana plead guilty to Endangering Children in violation 2919.22 of the Ohio Revised Code, a felony under federal law, that is, a crime punishable by more than one year of incarceration. On or about April 30, 2009, a judge in Franklin County, Ohio sentenced CARPIO-Umana to one year incarceration at the Ohio Department of Rehabilitation and Correction.

5. On or about March 2, 2010, CARPIO-Umana was arrested by ICE officers in Columbus, OH and issued a Final Administrative Removal Order (I-851) as he was convicted of an aggravated felony. CARPIO-Umana did admit to the allegations and charges on the I-851 and admitted he was deportable and not eligible for any form of relief from removal. On or about April 9, 2010, CARPIO-Umana was physically removed from the United States to El Salvador via Houston, Texas. Prior to removal, CARPIO-Umana surrendered his fingerprint and photo for Immigration Form I-205 (Warrant of Removal/Deportation), a document he signed. CARPIO-Umana's removal was witnessed by an Immigration Officer.
6. On or about August 1, 2023, ICE Officers arrested CARPIO-Umana in Columbus, Ohio. After a verification of fingerprints, ICE determined that CARPIO-Umana had previously been ordered removed from the United States and is subject to prosecution for illegal reentry. Biometric and records checks confirmed that CARPIO-Umana has not requested, applied to, or received permission from, the Attorney General of the United States or the Secretary of the Department of Homeland Security to re-enter the United States after being deported, excluded, or removed.

Your Affiant submits that the foregoing facts establish probable cause that CARPIO-Umana has committed a violation of 8 U.S.C. §§ 1326(a) and (b)(1), in that CARPIO-Umana is an alien (a) who has been denied admission, excluded, deported, or removed, or has departed the U.S. while an order of exclusion, deportation or removal was outstanding; (b) whose removal was subsequent to a conviction for commission of a felony; (c) who thereafter entered, attempted to enter, or at any time found in, the United States, and (d) who did not have consent from the Attorney General or the Secretary of Homeland Security to re-apply for admission to the United States prior to either his re-embarkation at a place outside the United States or his application for admission from a foreign contiguous territory.



Andrew H. Wend
Deportation Officer
Immigration and Customs Enforcement

Sworn before me and subscribed in my presence on this 1st day of August 2023.



HONORABLE Elizabeth A. Preston Deavers
United States Magistrate Judge

